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June 20, 2011

Board of Patent Appeals and Interferences
US Patent and Trademark Office
PO Box 1450
Alexandria, Virginia 22313-1450

Confirmation No.: 2895

Re: U.S. Utility Patent Application
Application No. 10/801,951 (Appeal No. 2010-005832)
Filing Date: March 17, 2004
For: **Facially Amphiphilic Polymers and Oligomers and Uses Thereof**
Inventors: DeGRADO *et al.*
Our Ref: 1694.0630003/JMC/M-R

Sirs:

Transmitted herewith for appropriate action are the following documents:

1. Online Credit Card Payment Authorization in the amount of \$800.00 to cover petition fees;
2. Petition Under 37 C.F.R. § 1.182 & § 41.3 to Admit New Evidence and Supplemental Material;
3. Petition Under 37 C.F.R. § 1.183 & § 41.3 to Waive Rule 37 C.F.R. § 41.33(d)(2); and
4. Response to Order for Further Briefing with cited case and Exhibits A-L listed below:

Ex parte Gante, 2004 WL 77420 (Bd. Pat. App. & Interf. 2004)

Exhibit A U.S. Patent No. 7,678,801

Exhibit B U.S. Patent No. 7,825,216

Exhibit C U.S. Patent No. 7,897,596

Exhibit D U.S. Patent No. 7,932,242

Exhibit E U.S. Patent No. 7,939,553

Exhibit F Declaration of Richard W. Scott, Ph.D. Under 37 C.F.R. § 1.132

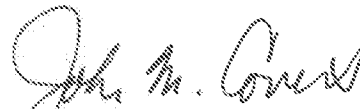
- Exhibit G Considine, D.M., ed, Van Nostrand's Scientific Encyclopedia, 8th ed., p. 226, Van Nostrand Reinhold, New York, NY (1995)
- Exhibit H Jenkins, M., American Bar Association Comments on Proposed Changes to Restriction Practice in Patent Applications, (August 11, 2010)
- Exhibit I Kirk, M.K., American Intellectual Property Law Association Response to Notice Requesting Comments on Proposed Changes to Restriction Practice in Patent Applications, (August 13, 2010)
- Exhibit J PCT Examination Guidelines, Chapter 10 – Unity of Invention
- Exhibit K Testimony of H.C. Wegner in response to Proposed Rulemaking, "Examination of patent applications that include claims containing alternative language", pp. 1-18 (August 10, 2007)
- Exhibit L Comments of the Biotechnology Industry Organization on the United States Patent & Trademark Office Proposed Rule Changes Concerning Claims Containing Alternative Language (October 9, 2007)

The above-listed documents are filed electronically through EFS-Web.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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